

REMARKS

Upon entry of the present amendment, claims 5-6 and 27 will be pending in the present application. Claim 27 has been amended. Claims 28-32 have been cancelled. Support for the recitation of “a pharmaceutically acceptable carrier” in claim 27 can be found in the present specification, *inter alia*, at page 18, line 31. No new matter has been added by way of the above amendments.

Applicants submit that the present Amendment is merely formal in nature, presents no new issues, is in accordance with the Examiner’s instructions, reduces the number of issues under consideration, and places the case in condition for allowance. Entry of the present amendment is proper to place the claims in better form for appeal.

Applicants respectfully request the Examiner to reconsider and withdraw the rejection in view of the following remarks.

Examiner’s Interview

Applicants would like to thank the Examiner for her time during the interview on October 31, 2008. Applicants appreciate the courtesies extended to them in this application. Although Applicants did not approve the cancellation of the nonelected method claims at the time, Applicants have now decided to cancel the withdrawn claims. Thus, Applicants believe that the claims are now in condition for allowance. Should the Examiner believe that there remains any outstanding issues, Applicants respectfully request that the Examiner contact Applicants’ Representative so as to expedite resolution of these outstanding issues, via an Examiner’s Amendment or the like.

Issue under 35 U.S.C. § 112, first paragraph

The Examiner has maintained the rejection of claim 27 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner states that the term “therapeutically effective amount” does not have support in that it cannot be administered with the compound alone. The Examiner suggests that addition of a term such as “and a pharmaceutically acceptable carrier.” Applicants have amended claim 27 as proposed by the Examiner. As such, Applicants respectfully submit that claim 27 complies with the written description requirement and request that the rejection be withdrawn.

Allowed Claims

Applicants acknowledge the indication that claims 5-6 and 27 would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims. The present amendment cancels all claims other than claims 5-6 and 27. As such, all pending claims are believed to be directed to allowable subject matter. Therefore, Applicants respectfully submit that this application is now in condition for allowance. An early reconsideration and Notice of Allowance are respectfully requested.

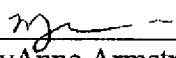
In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad M. Rink, Reg. No. 58,258 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: November 14, 2008

Respectfully submitted,

By 
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